



CITY OF LODI

COUNCIL COMMUNICATION

AGENDA TITLE: Consider appeal of Anthony D. Azevedo regarding the Planning Commission's denial of his request for a Zoning Variance to reduce the required sideyard at 1227 South Washington Street in an area zoned R-1*, Single-Family Residential - Eastside.

MEETING DATE: May 6, 1992

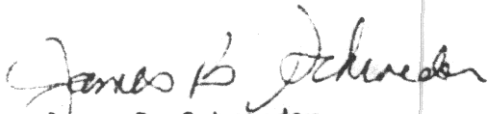
PREPARED BY: Community Development Director

RECOMMENDED ACTION: that the City Council consider the appeal of Anthony D. Azevedo regarding the Planning Commission's denial of his request for a Variance to reduce the required sideyard at 1227 South Washington Street in an area zoned R-1*, Single-Family Residential - Eastside and take the appropriate action.

BACKGROUND INFORMATION: The requested Variance was to make legal an attached carport, which was constructed without permits.

The applicant completed the construction after receiving an order from the Building Division to stop work. Upon completion of the project. Mr. Azevedo applied for a Zoning Variance and was denied because the Planning Commission could not determine that a "Zoning Hardship" existed.

FUNDING: None required.


James B. Schroeder
Community Development Director

JBS/cg

Attachments

APPROVED: 

THOMAS A. PETERSON
City Manager



CC-1

CITY COUNCIL


JAMES W. PINKERTON, Mayor
PHILLIP A. PENNINO
Mayor Pro Tempore
DAVID M. HINCHMAN
JACK A. SIEGLOCK
JOHN R. (Randy) SNIDER

CITY OF LODI

CITY HALL, 221 WEST PINE STREET
P.O. BOX 3006
LODI, CALIFORNIA 95241-1910
(209) 334-5634
FAX (209) 333-6795

THOMAS A. PETERSON
City Manager
ALICE M. REIMCHE
City Clerk
BOB McNATT
City Attorney

March 10, 1992

Anthony O. Azevedo


RE: Zoning Variance
Reduce Side Yard
1227 S. Washington St.

At its meeting of Monday, March 9, 1992 the Lodi City Planning Commission denied your request for a Zoning Variance to reduce the required side yard from 5 feet to 3 feet 4 inches to permit an illegally constructed carport to remain at 1227 South Washington Street in an area zoned R-1*, Single-family Residential - Eastside.

In denying your request the Planning Commission determined that a "Zoning Hardship" as described in Municipal Code Section 17.72.030(3) did not exist.

Section 17.72.110 of the Lodi Municipal Code provides as follows:

"Any applicant or person claiming to be directly and adversely affected by any action of the Planning Commission may, within 5 days (i.e. working days) after the action, file a written appeal with the City Clerk for transmittal to the City Council."

Your appeal, if any, must be in writing and should be directed to Alice M. Reimche, City Clerk, P.O. Box 3006, Lodi, CA 95241-1910, and must be received by her before 5:00 p.m. Monday, March 16, 1992.

Sincerely,


JAMES W. PINKERTON, Mayor
Community Development Director

cc: City Clerk

March'16, 1992

Alice M. Reimche,
City Clerk
P.O. Box 3006
Lodi, Ca 95241

RE: Zoning Variance Sideyard No. A-92-03

The purpose of this letter is that I'm requesting an appeal to the Honorable Mayor and City Councilman, of the City of Lodi, for the following reasons.

I received a registered letter from the City of Lodi signed by Mr. James H. Siemers. see copy. I contacted Mr. Siemers by telephone and informed him that I was not aware of being in violation until I received the letter. I then went to the City Hall and applied for the permit. The Building Department and staff informed me that the carport was required to have a permit, I stated to them that I was under the impression from previous years and in other cities that when ever you build a carport detached from the house that it was not necessary to take out a building permit, I was wrong, I apologize for that. If I had known I certainly would not of built it and there would not of been a problem in getting a permit.

The Building Department gave me the proper documents for me to fill out and return them to the City, they recommended that I should apply for the variance first, and to apply for the variance setback, I needed to submit the Plot Plan, Floor Plan, Elevations, Floor, Ceilings, Walls. and Roof Framing .

I then contacted Mr. Larry Bertsch with Bertsch & Associates. to have them draw me up the plans so that I could submit them along with my application, because of the Christmas & New Years Holidays it did not get done sooner. but the City Staff was aware that I was proceeding to comply.

On January 8th. I went back to the City and notified City Staff, Mr. Eric W. Veerkamp, Junior Planner, that I would be out of state from January 9th through January 20th. and as soon as I would return I would sub-

mit the Plans along with the application, on January 27th. I received the Blue Prints and on the following day I went to the City and applied for the variance as recommended by City Staff. I paid the fees etc.

On January 28th I received another notice from the City, so I notified Mr. Siemers that I had already applied for the variance and the Plans were at the City. the Staff informed me that they were not aware that I had submitted the application.

On Feb. 12th 1992, I received from Public Works Director, Mr. Jack Ronsko Re: No. A-92-03. stated the Public Works Department had no objections to the issuance of a variance to reduce the sideyard setback requirements on the subject parcel to permit the construction of a carport.

On Feb. 21st, I received a letter from the City regarding the variance request A-92-03, that the Planning Department had rescheduled the request to March 9th. 1992.

On March 9th when I appeared before the Planning Commission, when Mr. James H. Siemers, Code Enforcement Officer, gave the report to the Planning Commission, I was in disbelief and shocked, of the way he was presenting this matter to the board with no true statements except that I was in violation of the carport, at this time I knew that I didn't have a chance I had been shot out of the saddle, before I could address myself to the Planning Commission, if the meeting was recorded please take a moment to review.

The meeting was open for Public Hearing, I addressed the Planning Commission and stated the reasons of why I was applying for the variance, that during the winter when it rains the driveway leading to the house entrance gets wet and very slippery causing children to slip and fall and creating a hardship, and it also helps from the family getting wet during the rainy season, and helps conserve on energy during the cold weather, and hot summer months. It also helps in reducing vandalism, which has taken place on several occasions, the City of Lodi Police Department has reports on file.

The issue was focused more on that I had built a carport without a permit and that when the City went out in November 1991 that I had continued to work on the carport, that was a false statement, a lie. What was not said was that I had appeared at the City and was trying to be in compliance.

■


Mrs. Sherman, the lady that filed the complaint with the City, my next door neighbor. also attended the meeting with oppositions. and also made false statements to the Planning Commission, same as Mr. James H. Siemers. she informed the Planning Commission that I had removed the Red Tag placed on the carport. that I had planted fruit trees near her property, that a bush tree was pushing in to her property, that the swinging doors squeaked, that the rain was damaging her property and that when Mr. Azevedo wants something he's going to get it. It was all misleading statements.

My question is that the carport was constructed in 1990, and Mrs. Sherman never complained then. This was done in a vindictive way. more than anything else, when Mrs. Sherman asked me to have her old car smogged because it would not pass the test and I didn't do it, she asked me if I could get her son a job in the City of Lodi and I didn't do it, and when she asked me to trim a tree in full bloom and I didn't do it. But explained to her that if I trimmed the tree it would go into shock and I would trim it at the right time. Having heard that she is moving away for the City. I clearly understand why she would file that complaint with the City, After all the comments stated by Mrs. Sherman and Mr. Siemers. I knew that I would not be granted my request for variance. On Feb. 11th I contacted the Architect and explained to him what had happened he too was in disbelief. I feel that I have been the target by my neighbors Mr. and Mrs. Sherman and Mr. James H. Siemers which Mrs. Sherman had spoken to before. I also believe that it was a misrepresentation, I as denied.

For all of the above reasons I am requesting to the Honorable Mayor and City Councilman, that I be given a none Bias, Fair hearing. and perhaps if you see it fit be granted the variance to reduce the sideyard setback as recommended by the Public Works Director, letter dated Feb. 12. 1992, and that I would be allowed to take out the necessary permits so that I would be complying to the existing ordinances.

Thank You for your consideration on this matter.

Sincerely,



Anthony O. Azevedo

Enclosed are:

Carport Build.	Nov. 1990	
Lattice and Swing Doors	May 1st 1991	
Painting Carport	July 1991 - completed	
Letter from City	Dec. 5th 1991	
Called City in RE. to Letter		
Went to City Staff to pickup forms	December	
Went to City seen Mr. Veerkamp	1-8-92	
Received Notice from City notified Mr. Siemers		1-24-92
Received 2nd notice applied for variance		1-28-92
Received letter from City		2-12-92
Received letter from City		2-19-92
Planning Commission Hearing		3-9-92
Received letter form City		3-10-92

AGENDA

LODI PLANNING COMMISSION

REGULAR SESSION

CARNEGIE FORUM
305 WEST PINE STREET
LODI, CALIFORNIA

7:30 PM - MARCH 9, 1992

1. ROLL CALL
2. MINUTES
3. CONSENT CALENDAR
4. PUBLIC HEARINGS
5. TENTATIVE MAPS
 - a. TENTATIVE MAP 91 P 017 - REQUEST OF TERRY PIAZZA, BAUMBACH & PIAZZA, INC. CONSULTING ENGINEERS ON BEHALF OF JAMES ANAGNOS, ET AL for approval of a parcel map to create two parcels from one parcel at 801 East State Route Hwy 12 in an area zoned C-S. Commercial Shopping Center.
 - b. TENTATIVE MAP 92 P 003 - REQUEST OF PHILLIPPI ENGINEERING, INC. ON BEHALF OF PHILLIPPI PARTNERSHIP for approval of a parcel map to create six parcels from one parcel at 2448 West Kettleman Lane in an area zoned C-S. Commercial Shopping
6. ZONING ITEMS
 - a. USE PERMIT U-91-22 - REQUEST OF LODI HONDA to install a programmable electronic display identification sign on an existing 70' high sign structure at 1700 South Cherokee Lane in an area zoned C-2. General Commercial. (Consider with Varfance Request A-91-23 below)
 - b. VARIANCE A-91-23 - REQUEST OF LODI HONDA to increase the sign size to replace existing 6' X 12' illuminated sign and 4' X 16' readerboard sign with a 7' high X 31' wide programmable electronic display sign on an existing 70' high sign structure at 1700 South Cherokee Lane in an area zoned C-2. General Commercial.
 - c. VARIANCE A-92-03 - REQUEST OF ANTHONY D. AZEVEDO to reduce the side yard setback requirement to allow construction of a carport within the 5-foot required setback.

CITY COUNCIL

JAMES W. PINKERTON, Mayor
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March 10, 1992

Anthony D. Azevedo


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1227 S. Washington St.

At its meeting of Monday, March 9, 1992 the Lodi City Planning Commission denied your request for a Zoning Variance to reduce the **required** side yard **from** 5 feet to 3 feet 4 inches to permit an illegally constructed carport to **remain** at 1227 South Washington Street in an area zoned R-1*, Single-Family Residential - Eastside.

In denying your request the Planning Commission determined that a "Zoning Hardship" as described in Municipal Code Section 17.72.030(3) did not exist.

Section 17.72.110 of the Lodi Municipal Code provides as follows:

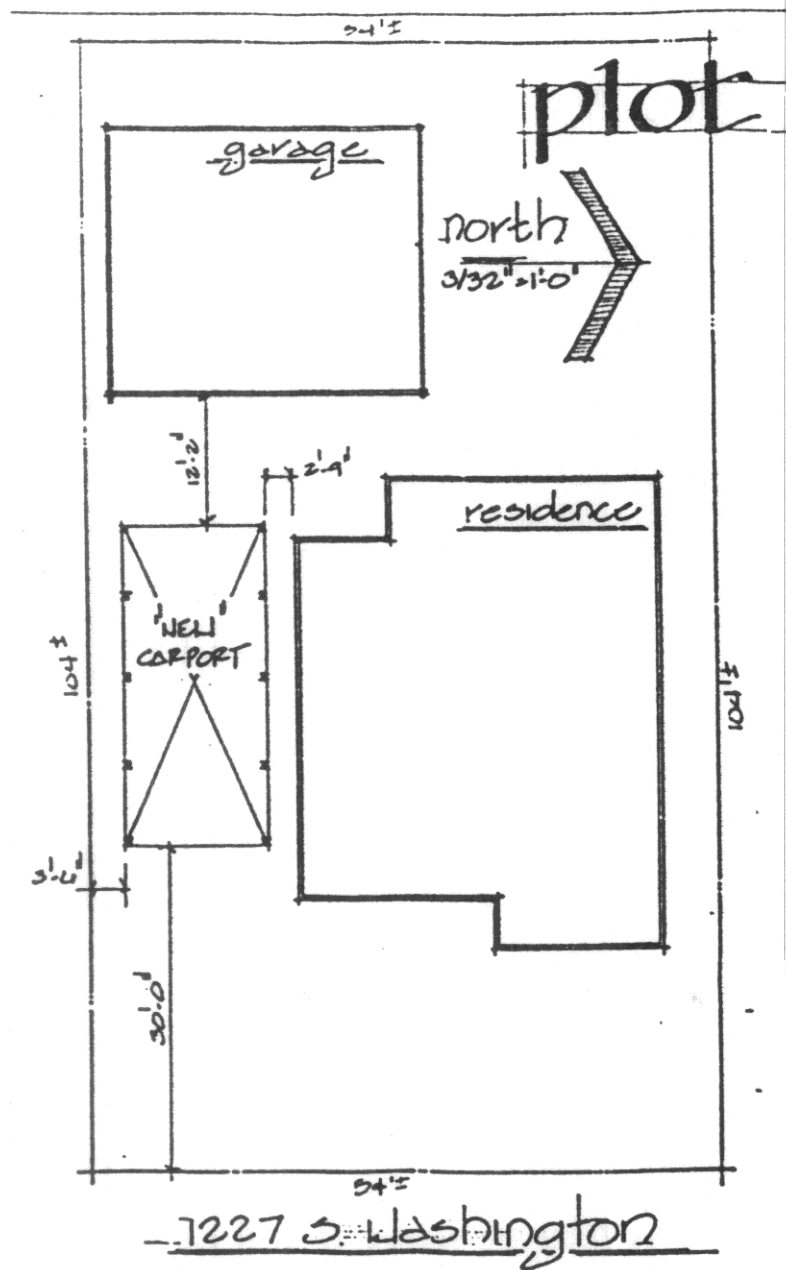
"Any applicant or person **claiming** to be directly and **adversely** affected by any action of the Planning Commission may, **within** 5 days (**i.e. working** days) after the action, file a written appeal with the City Clerk for transmittal to the City Council."

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Sincerely,


JAMES B. SCHROEDER
Community Development Director

cc: City Clerk



VICINITY MAP

Anthony Azevedo
Reduce Sideyard Setback
1227 South Washington Street

A-92-01

03-09-92



COMMUNITY DEVELOPMENT DEPARTMENT

Building Inspection Division

PERMIT APPLICATION - RESIDENTIAL - SINGLE FAMILY - DUPLEX

The Building Division **WILL NOT ACCEPT** any application for a building permit unless all of the following items are submitted or complied with:

- ☒ 1. **PERMIT APPLICATION FORM:** Must be filled out with all **pertinent** information and signed by the applicant.
- ☐ 2. **PLAN REVIEW FEE:** To be paid at time of submittal.
- ☐ 3. **LICENSED CONTRACTOR INFORMATION:** A permit for **construction** may be issued only to the property owner or a Contractor Licensed by the State of California.
 - a. All Contractors doing business in the City of Lodi are **required** to document the current **status** of their State Contractors License, Workers Compensation Insurance, and City of Lodi **Business** License. Any Contractor not currently on file with the City of Lodi Contractor information system, is required to furnish the necessary information prior to permit issuance.
- ☐ 4. **SUB-CONTRACTOR INFORMATION LIST** A list of all **sub-contractors** used; with address, phone number, state contractors license number, and city license number is required prior to issuance of a permit.
- ☒ 5. **PLOT PLAN:** (Two copies required)
 - a. Plot plan SHALL BE submitted on 8 1/2 x 11 paper. Plot plan is to indicate **ALL** structures on the lot with actual and/or proposed distance to all property lines.

CONSTRUCTION SUBMITTAL DOCUMENTS

- ☐ 6. **REQUIRED INFORMATION:** (Cover Sheet or Sheet 1 of plans) 391 1/2
 - a. Indicate on the Title Sheet of the plans, the name of the **legal owner** and name of person responsible for the preparation of the plans. Specify the gross floor area of all portions of this project, including: dwelling, garage, carport, patio, deck, balcony, etc.
- ☒ 7. **FLOOR PLAN:** (Three copies required) The floor plan is to be laid out as it is to be built. **Reverse floor plans are not acceptable.**
- ☒ 8. **ELEVATIONS:** (Two copies required) Show four (4) orientations.

• • CITY OF IODI - COMMUNITY DEVELOPMENT DEPARTMENT - BUILDING DIVISION • •

APPLICATION TRACKING FORM

Print Date	Application Number
Permit types	Application Date
Project Address	Subdivision
Project Description	Bldg No.
Property Owner	Phone No.
Mailing Address	City/St.
Contractor	Phone No.
Mailing Address	City/St.
Project Manager	Phone No.

BUILDING APPLICATION TRACKING			OCCUPANCY APPLICATION APPROVALS		
DEPARTMENTS	DATE APPROVED	APPROVED BY	DEPARTMENTS	DATE APPROVED	APPROVED BY
Planning			Planning		
Public Works			Public Works		
Water/Wastewater			Water/Wastewater		
Electric Utility			Electric Utility		
Fis			Fire		
Health			Health		
Structural Engineer			Building Division		
Plan Checker			SPARC		

HOLDS AND CONDITIONS

PERMIT CLASS:

<input type="checkbox"/> NEW	RESIDENTIAL <input checked="" type="checkbox"/>
<input checked="" type="checkbox"/> ADDITIONS - ALTERATIONS - REMODELS	COMMERCIAL <input type="checkbox"/>
<input type="checkbox"/> REPAIR	

PLAN NO. _____

PERMIT TYPE:

<input checked="" type="checkbox"/> BUILDING	<input type="checkbox"/> SIGN	<input checked="" type="checkbox"/> OTHER
<input type="checkbox"/> MECHANICAL	<input type="checkbox"/> POOL/SPA	
<input type="checkbox"/> ELECTRICAL	<input type="checkbox"/> DEMOLITION	
<input type="checkbox"/> PLUMBING	<input type="checkbox"/> SITE WORK	

CENSUS NO. 438

UBC OCCUPANCY GROUP M

UBC BUILDING TYPE _____

SUB CODE	A/D/Y	AREANALUE	BVD CODE	NO. UNITS	NO. BLDGS	SEWER
<u>G</u>	<u>A</u>	<u>392</u>	<u>171</u>	<u>1</u>	<u>1</u>	<u>A</u>
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____

9. **ELECTRICAL PLAN:** (Two copies required). Indicate location and size of **electrical** service panel, show all required receptacles and fixtures, show all required G.F.C.I. receptacles.

10. **PLUMBING PLAN:** (Two copies required).

a. submit gas line sizing calculations for all residential projects with more than three (3) gas appliances; i.e. water heater, furnace, kitchen stove, fire place log lighter, etc.

b. Submit water line sizing calculations for all residential projects which have more than two bathrooms, or exceed 1800 square feet.

11. **MECHANICAL PLAN:** (Two copies required). Show location of all HVAC equipment, ducts, and vents.

12. **FOUNDATION PLAN:** (Two copies required). Indicate dimensions and locations of all foundation details: to include reinforcement and holdowns.

13. **FLOOR, CEILING, WALL, AND ROOF FRAMING.** (Two copies required). Show details of all framing; to include: framing layouts, cross sections, and sizing details of all members.

14. **TRUSS PLANS AND CALCULATIONS:** (Two copies required).

a. Identify all trusses and include truss layout plan indicating location of trusses.

b. **ALL** truss calculations are to be Engineer stamped and include a **WET SIGNATURE** of a California Licensed engineer or architect.

15. **ENGINEERING CALCULATIONS:** (Two copies required).

a. Engineering calculations will be required for any unusual design which is not covered by Chapter 25 of the "Uniform Building Code".

b. **ALL** Engineering submittal documents shall be Engineer stamped and include a **WET SIGNATURE** of a California Licensed engineer or architect.

16. **ENERGY CALCULATIONS:** (Two copies required).

a. Enerav Compliance Documents specify the mandatory energy conservation requirements of the California Building Energy Efficiency Standards. All new construction must comply with the Standards in effect when the building permit application is filed. The method of compliance chosen determines which documents are required.

APPLICATION ACCEPTED BY: _____ DATE: _____

MECHANICAL

.03/SQ.FT. NEW RESIDENTIAL

QTY	CODE	DESCRIPTION	FEE/UNIT
—	M01	FURNACE TO 100M BTU	9.00
—	M02	FURNACE 101-500M BTU	12.00
—	M03	FURNACE OVER 500M BTU	15.00
—	M04	UNIT/WALL HEATER	9.00
—	M05	BLR/COMP TO 100M BTU	9.00
—	M06	BWCOMP 101-500M BTU	16.00
—	M07	BLR/COMP 501-1000M BTU	22.00
—	M08	BLR/COMP 1001-1750M BTU	33.00
—	M09	BWCOMP OVR 1750M BTU	55.00
—	M10	AH UNIT TO 10,000 CFM	7.00
—	M11	AH UNIT OVR 10,000 CFM	12.00
—	M12	VENTILATION FAN	5.00
—	M13	VENTILATION SYSTEM	7.00
—	M14	HOOD	7.00
—	M15	FLOOR FURNACE	9.00
—	M16	EQUIPMENT REPAIR	10.00
—	M17	EVAPORATIVE COOLER	7.00
—	M18	MISC. APPLIANCE/EQUIP	7.00

PLUMBING

.03/SQ.FT. NEW RESIDENTIAL

QTY	CODE	DESCRIPTION	FEE/UNIT
—	P01	FIXTURE OR TRAP	3.00
—	P02	BUILDING SEWER	6.00
—	P03	SOLAR HEATERS	10.00
—	P04	WATER HEATER	3.00
—	P05	GAS PIPE 1 TO 5 OUTLET	3.00
—	P06	GAS PIPE 6/MORE PER EA	1.00
—	P07	GREASE/SAND TRAP	15.00
—	P08	WATER PIPING	3.00
—	P09	LAWN SPRINKLER SYSTEM	3.00
—	P10	BACKFLOW DEVICE 1 TO 5	3.00
—	P11	GASOLINE STORAGE TANKS	15.00
—	P12	ALT/BLDG SEWER OR VENT	3.00
—	P13	SWIM POOL FILTER	3.00
—	P14	WASTE INTERCEPTOR	10.00
—	P15	BACKFLOW DEVICE OVER 5	1.00
—	P16	RAINWATER SYSTEM/DRAIN	2.00
—	P18	FIRE HYDRANT 1ST (TIMES 10) ...	15.00
—	P19	FIRE HYDRANT ADDL	40.00

INSPECTION GROUPS

A TEMP/PWR - B SAW
 B UNDER GROUND SITE WORK
 C RE-BAR INSPECTION
 D PRE-SLAB/PLMB-MECH
 E SLAB GRADE/FOUND
 F FOOTING/STEM WALL
 G BLOCK WALL
 H UNDERFLOOR/PLMB-MECH
 I INSUL UNDERFLOOR
 J FLOOR NAILING
 K SHEAR WALL

L PRE-INSPECTION
 M ROOF NAILING
 N MECHANICAL ROUGH
 O PLUMBING ROUGH
 P GAS LINE PRESSURE
 O ELECTRICAL ROUGH
 R FRAMING INSPECTION
 S SEWER CONNECTION
 T INSULATION
 U DRYWALL/LATH NAILING
 V SUSP CEILING, T-BAR

ELECTRICAL

.03/SQ.FT. NEW RESIDENTIAL

QTY	DESCRIPTION	FEE/UNIT
—	E01 OUTLET, SWITCH, FIXTURE	1.00
—	E02 VAPOR FIXTURES	2.00
—	E03 SWIMMING POOLS	30.00
—	E04 RANGE, DRYER, OVEN, WH	5.00
—	E05 MOTOR UP TO/INCL 1 HP	5.00
—	E06 MOTOR OVER 1 TO 5 HP	7.00
—	E07 MOTOR OVER 5 TO 20 HP	10.00
—	E08 MOTOR OVER 20 TO 50 HP	15.00
—	E09 SUB-PANUS	10.00
—	E10 SERVICE TO 100 AMPS	10.00
—	E11 SERVICE 101 TO 200 AMPS	20.00
—	E12 SERVICE 201 TO 500 AMPS	30.00
—	E13 SIGNS	15.00
—	E14 5' MULTI-OUTLET ASSY	1.00
—	E15 HEATERS	4.00
—	E16 X-RAY MACHINES	4.00
—	E17 MOTOR OVER 50 TO 100HP	20.00
—	E18 MOTOR OVER 100-PERHP	2.00
—	E19 SWITCHBRD 0-600V - 1ST	20.00
—	E20 SWITCHBRD 0-600V - ADDL	10.00
—	E21 SWITCHBRD OVR 600V - 1ST	30.00
—	E22 SWITCHBRD OVR 600V - ADDL	15.00
—	E23 SERVICE 501-1200 AMPS	40.00
—	E24 SERVICE OVER 1200 AMPS	75.00
—	E25 SERVICE OVER 600 VOLTS	75.00
—	E26 SERVICE EACH ADDL METER	2.00
—	E27 TEMPORARY POWER SERVICE	15.00

OTHER

—	S01	INSP-AFTER HOUR PER HR	40.00
—	S02	REINSPECTION	30.00
—	S03	MISC INSP - PER HOUR	30.00
—	S04	PLAN REVIEW - PER HOUR	30.00
—	S05	SPECIAL INSP - 1ST HOUR	40.00
—	S06	SPECIAL INSP - ADDL HR	30.00
—	S07	COURT TIME PER 112 HR	12.50
—	S08	COURT TIME PER/HR. RATE	25.00
—	S09	CODE COMFUANCE REPAIR	40.00
—	S10	ADMIN FEE - 1/2 HOUR	15.00
—	S11	ADMIN FEE. 1 HOUR	30.00

CITY COUNCIL

DAVID M. HINCHMAN, Mayor

JAMES W. PINKERTON Jr.

Mayor Pro Tempore

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FAX (209) 333-6795

THOMAS A. PETERSON
City Manager

ALICE M. REIMCHE
City Clerk

BOB McNATT
City Attorney

December 5, 1991

CERTIFIED MAIL

Mr. Anthony D. Azevedo

[REDACTED ADDRESS]

RE: Special Inspection
1227 S Washington Street
Lodi, CA 95240

NOTICE OF VIOLATION

A special inspection conducted on November 7, 1991, at the above noted address, has revealed the following:

VIOLATIONS

1. Construction of a carport without permits or inspections.

DETERMINATION

1. Lodi Municipal Code; Section 15.04.010. The provisions set forth in the "Uniform Building Code, 1985 Edition," and set forth in the "Uniform Building Code Standards, 1985 Edition," together with Appendix Chapters 1, I, 32, 35, 49, 51, 55, 57, and 70 thereto, are adopted as the building code of the city.

Mr. Azevedo
December 5, 1991
page 2

2. Lodi Municipal Code; Section 15.28.010. The provisions set forth in the "Uniform Code for the Abatement of Dangerous Buildings. 1985 Edition," are adopted as the unsafe building abatement code of the city. The unsafe building abatement code of the city applies in all matters pertaining to dangerous buildings which are in existence or which may be constructed in the city.
3. Lodi Municipal Code; Section 17.09.080.
Minimum yards in the R-1 district:
 - A. Front yard: not less than twenty feet to the front line of the main building.
 - B. Side yard: a minimum of five feet, except that for corner lots the side yard on the street side shall be increased to a minimum of ten feet, unless Section 17.57.100 applies; and provided further, that any carport or garage must be set back not less than twenty feet from the street property line.
 - C. Rear yard: The depth of the rear yard shall be not less than ten feet, except that for corner or reversed corner lots, the rear yard may be reduced to seven and one-half feet, or to a minimum of five feet when the lot rear upon an alley.

As a result of the foregoing violations, the following action is required:

1. Inspection by the building official has determined that the building is dangerous as defined by the unsafe building abatement code and is hereby declared to be a public nuisance and shall be abated by demolition and removal.

Appropriate permits shall be obtained from the City of Lodi prior to the commencement of any work required herein:

1. Demolition permit.

All required permits are to be obtained within 30 days of the date of this notice, and the demolition is to be completed within 60 days.

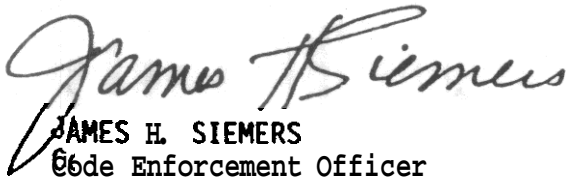
Mr. Azevedo
December 5, 1991
page 3

FAILURE TO COMPLY

In the event of your failure to comply with the requirements set forth above, the following may apply:

1. A citation may be issued.
2. Any person violating the provisions of the building code, mechanical code, plumbing code, electrical code, or housing code is guilty of a misdemeanor for each day such violation continues.
3. Any person convicted of a misdemeanor for violation of this code is punishable by a fine of not more than one thousand dollars, or by imprisonment not to exceed six months, or by both such fine and imprisonment for each violation.

Should you require additional information, please contact this office (209) 333-6711.


JAMES H. SIEMERS
Code Enforcement Officer

cc: City Attorney
Community Development Director
Chief Building Inspector
Mrs. Sherman, 1233 S Washington St.
Mike Bergeson, 1227 S Washington St.

EXPENSES

NAME OF PERSON:

COM'L - 9
 NAME AREVEDO
 ACCOUNT NO. 57619
 90-844/1211
 PAY TO THE ORDER OF R. Jorras 6/11 1991 \$ 97.00
NINETY SEVEN DOLLARS
 MEMO Purchase Print Anthony D. Bernal

FARMERS & MERCHANTS BANK OF CENTRAL CALIFORNIA
 121 WEST PINE, LOS ANGELES, CALIF. 90012

121630
 #61
 PAY TO THE ORDER OF LOW SEPAHER 12/5 1990 \$ 1,000.00
ONE THOUSAND DOLLARS
 MEMO CAN PORT 12275 Anthony D. Bernal

FARMERS & MERCHANTS BANK OF CENTRAL CALIFORNIA
 121 WEST PINE, LOS ANGELES, CALIF. 90012

COM'L - 9
 NAME AREVEDO
 ACCOUNT NO. 57619
 90-844/1211
 PAY TO THE ORDER OF ALCA 5/1 1991 \$ 65.00
SIXTY FIVE DOLLARS
 MEMO CAN PORT 12275 Anthony D. Bernal

FARMERS & MERCHANTS BANK OF CENTRAL CALIFORNIA
 121 WEST PINE, LOS ANGELES, CALIF. 90012

ORSE HERE

Barrell Rogers

— 1987 —

MEADOWS BANK
1000 S. 10TH AVE
LOS ANGELES, CA 90015

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FEDERAL RESERVE BOARD OF GOVERNORS REG. C.

#637.82828

Gaus' Leprocher

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BAY VIEW FEDERAL BANK
#2610

084964

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UNION BANK

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04-01507 050691

13/ ~~Amesbury~~

100 5/8 Swallow

COM. 95240

CDL# R0844119 EXP. 9/

NAME OF SIGNATURE LINE

CITY COUNCIL

JAMES W. PINKERTON, Mayor
PHILLIP A. PENNINO
Mayor Pro Tempore
DAVID M. HINCHMAN
JACK A. SIEGLOCK
JOHN R. (Randy) SNIDER

CITY OF LODI

CITY HALL, 221 WEST PINE STREET
PO. Box 3006
LODI, CALIFORNIA 95241-1910
(209) 334-5634
FAX (209) 333-6795

THOMAS A. PETERSON
City Manager
ALICE M. REIMCHE
City Clerk
BOB McNATT
City Attorney

January 24, 1992

CERTIFIED MAIL

NOTICE OF PUBLIC NUISANCE
AND
ORDER TO ABATE

Anthony D Azevedo


NOTICE OF PUBLIC NUISANCE

Public records indicate that you are the current legal owner of the real and improved property in the City of Lodi, County of San Joaquin, State of California described as follows: County Assessors' Parcel Number: 047-090-10. Said property is more commonly known as 1227 South Washington Street

As the property owner, you are hereby notified that the undersigned Building Official of the City of Lodi has inspected said property and declared it to be a PUBLIC NUISANCE as defined and prescribed for by Section 202 et seq of the Unsafe Building Abatement Code of the City of Lodi.

Mr. Azevedo
January 24, 1992
page 2

INSPECTIONS AND VIOLATIONS

On November 7, 1991 and January 24, 1992 the Building Official caused said property to be inspected. The following violations were discovered:

1. Finding: **Construction** of Carport without **permits** or inspections.

This existing condition is **in** direct violation of Section 302. paragraph 13. of **theUnsafe** Building Abatement Code of the City of Lodi which reads:

Dangerous Building

Sec. 302. For the purpose of this code, any building or structure which has any **or** all of the conditions or defects hereinafter described shall be **deemed to be** a dangerous building, provided that such conditions or defects **exist** to the extent that the life, health, property **or** safety of the public or its occupants are endangered:

13. **When** ever any building or structure has been constructed, exists **or is maintained** in violation of any specific requirement or prohibition applicable to such building **or** structure provided by the building regulations of this city, as specified in the Building Code **or** Housing Code. or any law **or** ordinance of this state or city relating to the condition, location or structure of the buildings.

DETERMINATION

As a result of the foregoing violations, the undersigned **Building** Official has declared the property to be a PUBLIC NUISANCE and has therefore made the following determination:

The structure on the property in question shall be demolished and the property cleared of rubbish and debris. Demolition work shall be subject to the review of the Building Official in accordance with provisions set forth in Section 4409 of the Building Code of the City of Lodi.

An appropriate demolition permit shall be obtained from the City of Lodi prior to the commencement of any work required herein.

All repair demolition work required herein shall begin within 30 days of the date of this Notice and shall be completed within 90 days of the date of this Notice.

In all cases, the required work is subject to the inspection and final approval of the Building Official.

Mr. Azevedo
January 24, 1992
page 3

ORDER TO ABATE

Pursuant to Section 201 of the **Unsafe** Building Abatement Code of the City of **Lodi**, this Notice constitutes an ORDER to **you**, the owner of the property in question, TO ABATE the substandard conditions listed herein in a manner and within the times **determined** above.

APPEAL

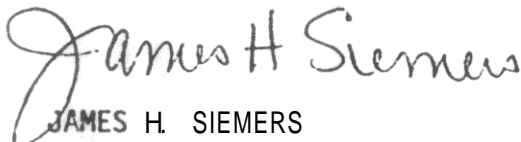
Property owners, or those **with** legal interest in the property who are served with this Notice **may** appeal the **same** to the City Council of the City of Lodi under Section 501 et seq of said Unsafe Building Abatement Code. The appeal should be in writing and submitted to the City Council. **in** care of the City Clerk (221 West Pine Street, Lodi. CA 95240). within **30** days of the date of this Notice.

FAILURE TO COMPLY

In the event of your failure to **comply** with the **requirements set** forth above, the following may apply:

1. A **citation** shall be issued.
2. Any person violating the provisions of the building code, mechanical code, **plumbing** code, electrical code, or housing code is guilty of a misdemeanor for each day such violation continues.
3. Any person convicted of a misdemeanor for violation of this code is punishable by a fine of not more than one thousand dollars, or by **imprisonment** not to exceed six months, or by both such fine and imprisonment for each violation.

Should you require additional **information**, please contact this office.


JAMES H. SIEMERS
Code Enforcement Officer

cc: Chief Building Inspector
City Attorney
Mrs. Sherman, 1233 S Washington St.
Mike Bergeson, 1227 S Washington St.

CITY COUNCIL

JAMES W. PINKERTON, Mayor

PHILLIP A. PENNINO

Mayor Pro Tempore

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CITY OF LODI

CITY HALL, 221 WEST FINE STREET

P.O. BOX 3006

LODI, CALIFORNIA 95241-1910

(209) 334-5634

FAX (209) 333-6795

THOMAS A. PETERSON
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January 24, 1992

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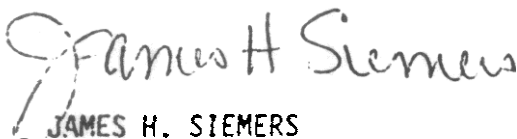
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JAMES H. SIEMERS
Code Enforcement Officer

cc: Chief Building Inspector
City Attorney
Mrs. Sherman, 1233 S Washington St.
Mike Bergeson, 1227 S Washington St.

CITY COUNCIL

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CITY HALL, 221 WEST PINE STREET

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(209) 3345634

FAX (209) 333-6795

THOMAS A. PETERSON
City Manager

ALICE M. REIMCHE
City Clerk

BOB McNATT
City Attorney

February 19, 1992

Anthony D. Azevedo

RE: Variance Request A-92-03
1227 S. Washington St.

The Planning Department has rescheduled the above request from February 24, 1992 to March 9, 1992. You will receive an agenda for that meeting in approximately two weeks.

Carol Goehring

CAROL GOEHRING
Department Secretary

MEMORANDUM City of Lodi , Public Works Department

TO : Community Development Department

FROM: Public Works Director

DATE : February 12, 1992

SUBJECT: 1227 S. Washington Street

FILE NO. A-92-03

The Public Works Department has no objection to the issuance of a variance to reduce the ~~sideyard~~ setback requirement on the subject parcel to permit the construction of a carport.


Jack L. Ronsko
Public Works Director

JLR/SAW/IW


cc: Anthony D. Azevedo

Office of Finance Director
CITY OF LODI, CALIFORNIA

Amthaus, D. H. Zweig

Date 1/28/92



FIND	GL	ACCT. NO.	OBJ.	AMOUNT	DESCRIPTION
010.0			536	35-	Advance Application
010.0			536	50-	Unstated Asset

Language Application

[illegible]

1-56

By

STANDARD REGISTRATION DIVISION OHIO 256005-CA



COMMUNITY DEVELOPMENT
DEPARTMENT

VARIANCE APPLICATION

APPLICANT

Name Anthony D AZEVEDO

File No. _____

Phone [REDACTED]

Address [REDACTED]

Signature Anthony D Azevedo

Date 1-8-92

PROPERTY OWNER (If different from above)

Name Anthony D AZEVEDO

Phone (415) 770174

Address [REDACTED]

I hereby certify that I am the owner of record of the property described below.
or have authorization to act in behalf of the owner, that I approve of the action
requested herein.

Signature Anthony D Azevedo

Date 1-8-92

Lodi CA.

PROPERTY LOCATION

Address 1227 S. WASHINGTON ST

APN 047-090-10

Size _____

Present Zoning Designation RESIDENTIAL

Present Land Use SAME

REQUEST

DURING WINTER TIME WHEN IT RAINS, DRIVEWAY LEADING TO HOUSE
ENTRANCE GETS VERY SLIPPERY CAUSING CHILDREN TO SLIP & FALL & CREATES A
HANDSHIP. THIS ALSO HELPS FAMILY STAY DRY DURING THE RAINY
SEASON, IT ALSO SAVES ENERGY CONSERVATION. BOTH DURING COLD WEATHER
AND HOT SUMMER MONTHS, WE NEED TO HAVE CANPOUT TO KEEP PERSON
PROPERTY SECURE AND FROM VANDALISM, IN WHICH HAS TAKEN PLACE ON
SEVERAL OCCASIONS. CITY OF LODI OFFICE HAS REPORTS ALREADY ON FILE
THANK YOU.

FOR OFFICE USE ONLY

Application Received by _____

Date: _____

Assigned Planner _____

Tentative Hearing Date _____

FEES

Receipt No. _____

Application Fee \$ _____

Environmental Review _____

Fee _____

TOTAL FEES \$ _____

SEE BACK FOR IMPORTANT INFORMATION

CITY COUNCIL

JAMES W PINKERTON, Mayor
PHILLIP A PENNINO
Mayor Pro Tempore
W I D M HINCHMAN
JACK A SIEGLOCK
JOHN R (Randy) WIDER

CITY OF LODI

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(209) 334-5634
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THOMAS A. PETERSON
City Manager
ALICE M. REIMCHE
City Clerk
BOB McNATT
City Attorney

May 7, 1992

Mr. Anthony D. Azevedo
1227 S. Wasnington Street
Lodi, CA 95240

Re: Appeal of the Planning Commission's
Denial of Request for Zoning Variance
to Reduce a Side Yard Setback at
1227 S. Washington Street, Lodi

Dear Mr. Azevedo:

This letter will confirm action taken by the Lodi City Council at its meeting of May 5, 1992, whereby following a public hearing concerning the matter, the City Council denied your appeal regarding the Planning Commission's request for a Zoning Variance to reduce the required side yard setback at 1227 South Washington Street in an area zoned R-1, Single-Family Residential - Eastside.

Should you have any questions regarding the matter, please do not hesitate to call this office.

Very truly yours,



Alice M. Reimche
City Clerk

AMR/jmp

cc: James B. Schroeder. Co

Development Director

DECLARATION OF MAILING

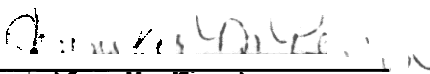
On April 2, 1992 in the City of Lodi, San Joaquin County, California, I deposited in the United States mail, envelopes with first-class postage prepaid thereon, containing a copy of the Notice attached hereto. marked Exhibit "A"; said envelopes were addressed as is more particularly shown on Exhibit "B" attached hereto.

There is a regular daily communication by mail between the City of Lodi. California, and the places to which said envelopes were addressed.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on April 2, 1992. at Lodi. California.

Alice M. Reimche
City Clerk



Jennifer M. Perrin
Deputy City Clerk



CITY OF LODI

CARNEGIE FORUM
305 West Pine Street, Lodi

NOTICE OF PUBLIC HEARING

Date: May 6, 1992

Time: 7:30 p.m.

For information regarding this Public Hearing
Please Contact:

Alice M. Reimche
City Clerk
Telephone: 333.6702

NOTICE OF PUBLIC HEARING

May 6, 1992

NOTICE IS HEREBY GIVEN that on Wednesday, at the hour of 7:30 p.m., or as soon thereafter as the matter may be heard, the City Council will conduct a public hearing to consider the following matter:

1. Appeal received from Anthony D. Azevedo. 1227 South Washington Street, Lodi regarding the Planning Commission's denial of his request for a zoning variance to reduce the required side yard at that location.

Information regarding this item may be obtained in the office of the Community Development Director at 221 West Pine Street, Lodi, California. All interested persons are invited to present their views and comments on this matter. Written statements may be filed with the City Clerk at any time prior to the hearing scheduled herein, and oral statements may be made at said hearing.

If you challenge the subject matter in court, you may be limited to raising only those issues you or someone else raised at the Public Hearing described in this notice or in written correspondence delivered to the City Clerk, 221 West Pine Street, at or prior to the Public Hearing.

By Order Of the Lodi City Council:

Alice M. Reimche
City Clerk

Dated: April 1, 1992

Approved as to form:

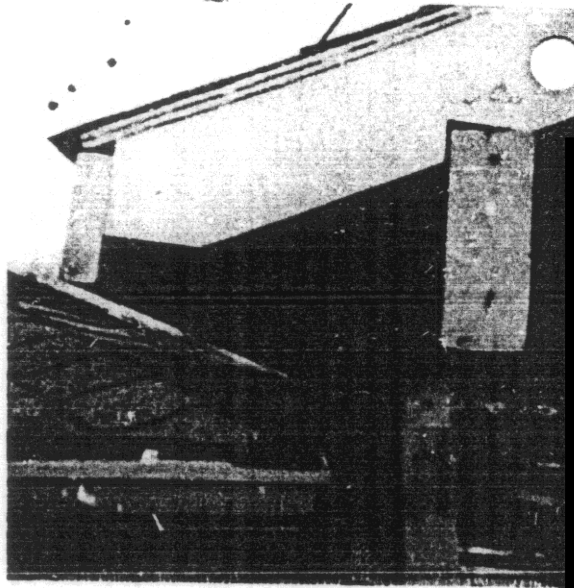
Bobby W. McNatt
City Attorney

**APPEAL FROM AZEVEDO
MAILING LIST
EXHIBIT B**

**Mr. knthony D. Azevedo
1227 S. Washington Street
Lodi, CA 95240**

**Mr. and Mrs. Richard Sherman
1233 S. Washington Street
Lodi. CA 95240**

**James B. Schroeder
Community Development Director**



What is Appeal